

**AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code sections 159.5(10) and 199.11, the Department of Agriculture and Land Stewardship hereby amends Chapter 40, “Agricultural Seeds,” Iowa Administrative Code.

This amendment eliminates the requirement that small packages of vegetable seed have the germination rate on the label, which only applies to packets of one pound or less which are prepared for use in home gardens or household plantings or for vegetable seeds in preplanted containers, mats, tapes or other planting devices in containers.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 3359C** on October 11, 2017. No comments were received from the public. The adopted amendment is identical to the noticed amendment.

After analysis and review of this rule making, no adverse impact on jobs has been found.

This amendment is intended to implement Iowa Code sections 189.9(1) and 199.3.

This amendment will become effective January 10, 2018.

The following amendment is adopted.

Amend rule 21—40.3(199) as follows:

**21—40.3(199) Labeling.** Agricultural and vegetable seeds in package or wrapped form shall be labeled in accordance with Iowa Code section 189.9(1). In addition, labeling requirements appearing in Title 7, C.F.R., Subchapter K, Part 201, Sections 201.8 through and including 201.36(c), revised as of January 1, 1982, are hereby adopted by this reference and shall be the labeling requirements for agricultural and vegetable seeds in Iowa. However, the germination rate is not required for small packages of vegetable seed in packets of one pound or less which are prepared for use in home gardens or household plantings or for vegetable seeds in preplanted containers, mats, tapes or other planting devices in containers.

[Filed 11/15/17, effective 1/10/18]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 12/6/17.